

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.202(b),
FM Table of Allotments,
FM Broadcast Stations.
(Sagaponack, New York)

)
)
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MB Docket No. _____
RM- _____

Accepted/Files

NOV 24 2014

**Federal Communications Commission
Office of the Secretary**

DOCKET FILE COPY ORIGINAL

To: Office of the Secretary
Attn: Chief, Audio Division

PETITION FOR RULE MAKING

Red Wolf Broadcasting Corporation ("Red Wolf") submits this Petition for Rule Making to allot Channel 233A to Sagaponack, New York. The grant of that application will result in a first local service at Sagaponack and thus this proposal serves the public interest.

As demonstrated in the attached Technical Exhibit, Channel 233A can be allotted to Sagaponack consistent with Section 73.207 of the Commission's Rules. A 70 dBu signal can be provided to Sagaponack from the proposed reference coordinates. Sagaponack qualifies as a community for FCC allotment purposes. It is identified in the 2010 U.S. Census with a population of 313 and therefore is presumed to have the status of a community for allotment purposes. *See Arnold and Columbia, California*, 7 FCC Red 6302 (1992). Sagaponack is a village which was incorporated on September 2, 2005. It has its own local government with a mayor and board of trustees. Sagaponack has a village clerk, village attorney, building department, planning board, zoning board, architectural review board, and tree committee. The Sagaponack Common School is located in Sagaponack and the 11962 zip code has been assigned to Sagaponack. There are numerous businesses in Sagaponack. *See Exhibit 1*.

For the foregoing reasons, Red Wolf respectfully requests that the Commission allot Channel 233A at Sagaponack, New York as proposed herein. Red Wolf is simultaneously filing

a 301 application for this change. If the allotment is made, Red Wolf will prosecute its application, participate in any auction for this allotment, and promptly construct the facilities authorized.

Respectfully submitted,

RED WOLF BROADCASTING
CORPORATION

By: 

Scott Woodworth
Edinger Associates PLLC
1875 I Street NW, Suite 500
Washington, DC 20006
202-747-1694

Its Attorneys

November 24, 2014

Technical Exhibit

See attached

TECHNICAL EXHIBIT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
SAGAPONACK, NEW YORK
CHANNEL 233A

Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of Red Wolf Broadcasting Corporation ("Petitioner") in support of a Petition for Rule Making to amend Section 73.202(b) by the allotment of channel 233A to Sagaponack, New York as a first local aural service under FM allotment priority 3.¹ Petitioner is also concurrently filing an associated FCC Form 301 application for channel 233A at Sagaponack.

Proposed Change in Table of Allotments

Petitioner proposes to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules, by allotting FM channel 233A to Sagaponack, New York. Sagaponack is village located in Suffolk County, New York and has a 2010 U.S. Census population of 313 persons. Sagaponack has no local FM or AM service and is not located within an urbanized area (see below). Therefore, the instant proposal will result in a first local aural transmission service to the community of Sagaponack under FM allotment priority 3.

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Sagaponack, New York	--	233A

¹ The FM Allotment Priorities are: (1) first fulltime aural service; (2) second fulltime aural service; (3) first local service; and (4) other public interest matters. Co-equal weight is given to Priorities 2 and 3. See *Revision of FM Assignment Policies and Procedures*, Second Report and Order, 90 FCC 2d 88 (1982).

Compliance With FCC Rules

The attached Figure 1 is a tabulation of required separations pertinent to use of channel 233A at Sagaponack. The allotment reference site complies with the Commission's minimum distance separation requirements contained in Section 73.207 to all existing, authorized and proposed stations and allotments.

Figure 2 is a map which demonstrates that the allotment reference site² complies with the FCC's city coverage requirements (Section 73.315) as the 70 dBu (city grade) contour based on maximum Class A facilities (ERP 6 kW/HAAT 100 m) and uniform terrain encompasses 100% of Sagaponack. The Sagaponack city limits shown on Figure 2 were obtained from a map contained in the 2010 U.S. Census of Population.

Urbanized Area Considerations

Figure 3 is a map which depicts the Sagaponack city limits and the New York-Newark, NY-NJ-CT Urbanized Area ("New York UA"). As indicated, Sagaponack is not located within the New York UA. Furthermore, it would not be possible for a maximum facility Class A station to provide 70 dBu coverage to 50% or more of the New York UA. Specifically, the New York UA has a land area of 9,458 km². Thus, in order for an FM station to cover at least 50% of the New York UA land area, the distance to the 70 dBu contour would need to be at least 38.8 km.³ This distance exceeds the nominal maximum distance to both the

² The allotment reference site coordinates proposed for channel 233A at Sagaponack are: N40-56-01/W72-18-55 (NAD27).

³ 50% of the New York UA land area would be 4,729 km². Thus, a 70 dBu with a radius of 38.8 km would be required to encompass an area of 4,729 km². ($38.8^2 \times \pi = 4729$).

Class A 70 dBu contour (16.1 km) and 60 dBu contour (28.3 km) presuming maximum facilities and uniform terrain (6 kW/100 m).

Conclusion

Channel 233A can be allotted to Sagaponack, New as a first local aural service which satisfies FM Allotment Priority 3.



W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc.
240 North Washington Blvd.
Suite 700
Sarasota, Florida 34236

November 11, 2014

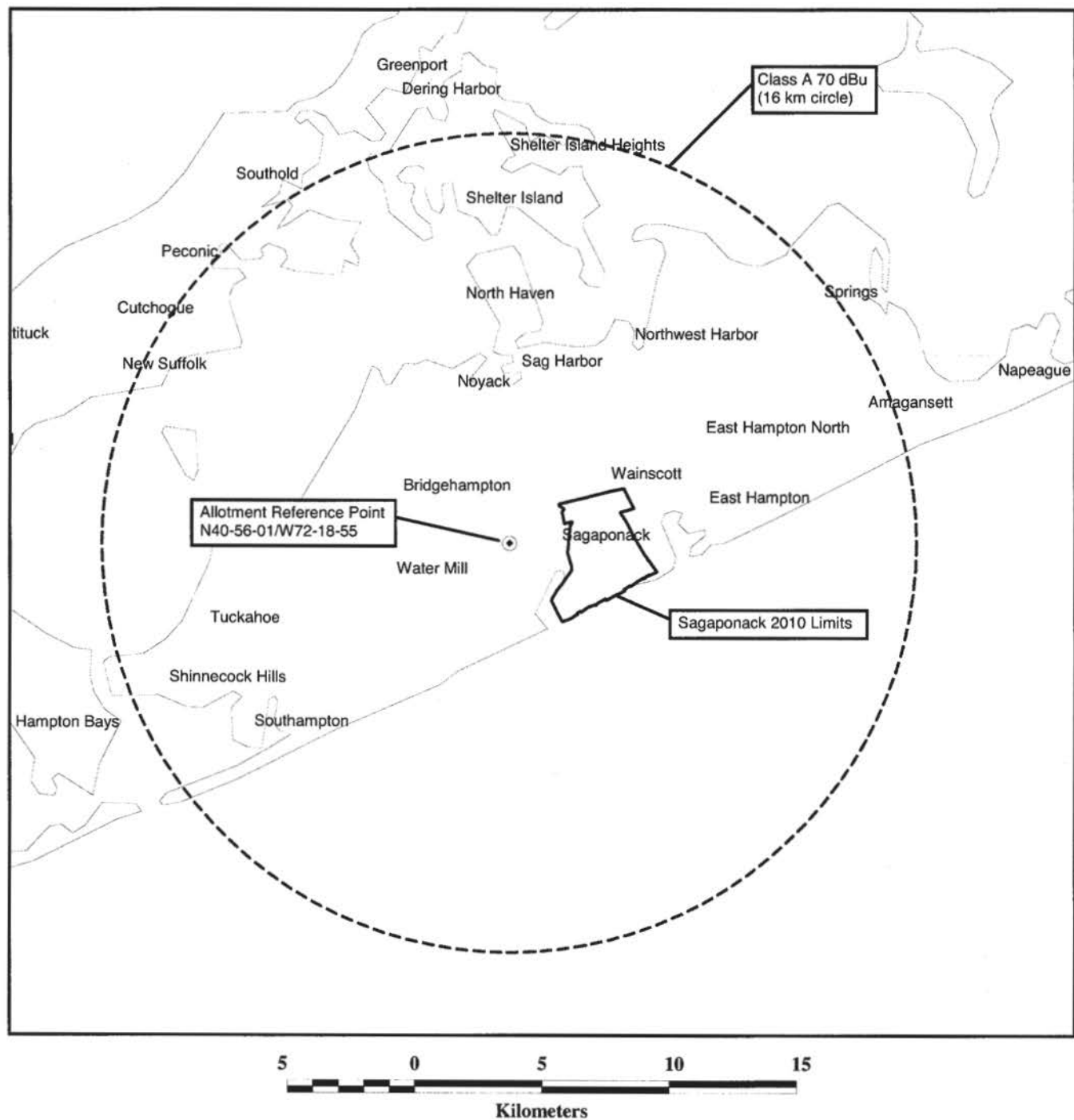
SECTION 73.207 ALLOCATION STUDY — PROPOSED ALLOTMENT REFERENCE POINT

Channel: 233 Coordinates: 040-56-01 072-18-55 (NAD 27)
 Class: A Buffer Distance: 30 km

Date: 11/11/2014
 Page: 1 of 1

Callsign	Status	Chan.	Serv.	Freq.	City	State	Latitude	Dist.(km)	Sep.(km)	Spacing(km)
Fac. ID	ARN			Class	DA Ant. ID	ERP(kW)	HAAT(m)	Longitude	Bear.(deg)	73.215 Comment
WYBC-FM	LIC	232	FM	94.3	NEW HAVEN	CT	041-20-59	72.01	72	0.01
74322	BLH 20010918AAT			A	D 38481	3	144	072-58-23	310.25	49 N CLOSE
WWSK	LIC	232	FM	94.3	SMITHTOWN	NY	040-48-08	83.18	72	11.18
29260	BLH 20011127AAK			A	N	2.6	96	073-17-12	260.18	49 N CLEAR
WERB	LIC	233	FM	94.5	BERLIN	CT	041-37-18	84.78		
4826	BLED 19960823KC			D	N	0.024	-21	072-45-13	334.56	INFO
WJMN	LIC	233	FM	94.5	BOSTON	MA	042-18-27	177.63	178	-0.37
53972	BLH 20031201AWA			B	N	9.2	353	071-13-27	30.34	143 N CLOSE
WMAS-FM	LIC	234	FM	94.7	ENFIELD	CT	042-06-33	132.87	113	19.87
36543	BLH 20111107ARY			B	N	50	55	072-36-40	349.43	96 N CLEAR
WJJF	LIC	235	FM	94.9	MONTAUK	NY	041-01-56	30.62	31	-0.38
189488	BLH 20120302AAX			A	N	5.6	104	071-58-32	68.86	25 N CLOSE
WPTY	LIC	287	FM	105.3	CALVERTON-ROANOKE	NY	040-51-18	39.3	10	29.3
31754	BLH 20040121ABV			A	N	0.66	185	072-46-12	257.27	CLEAR

Figure 2

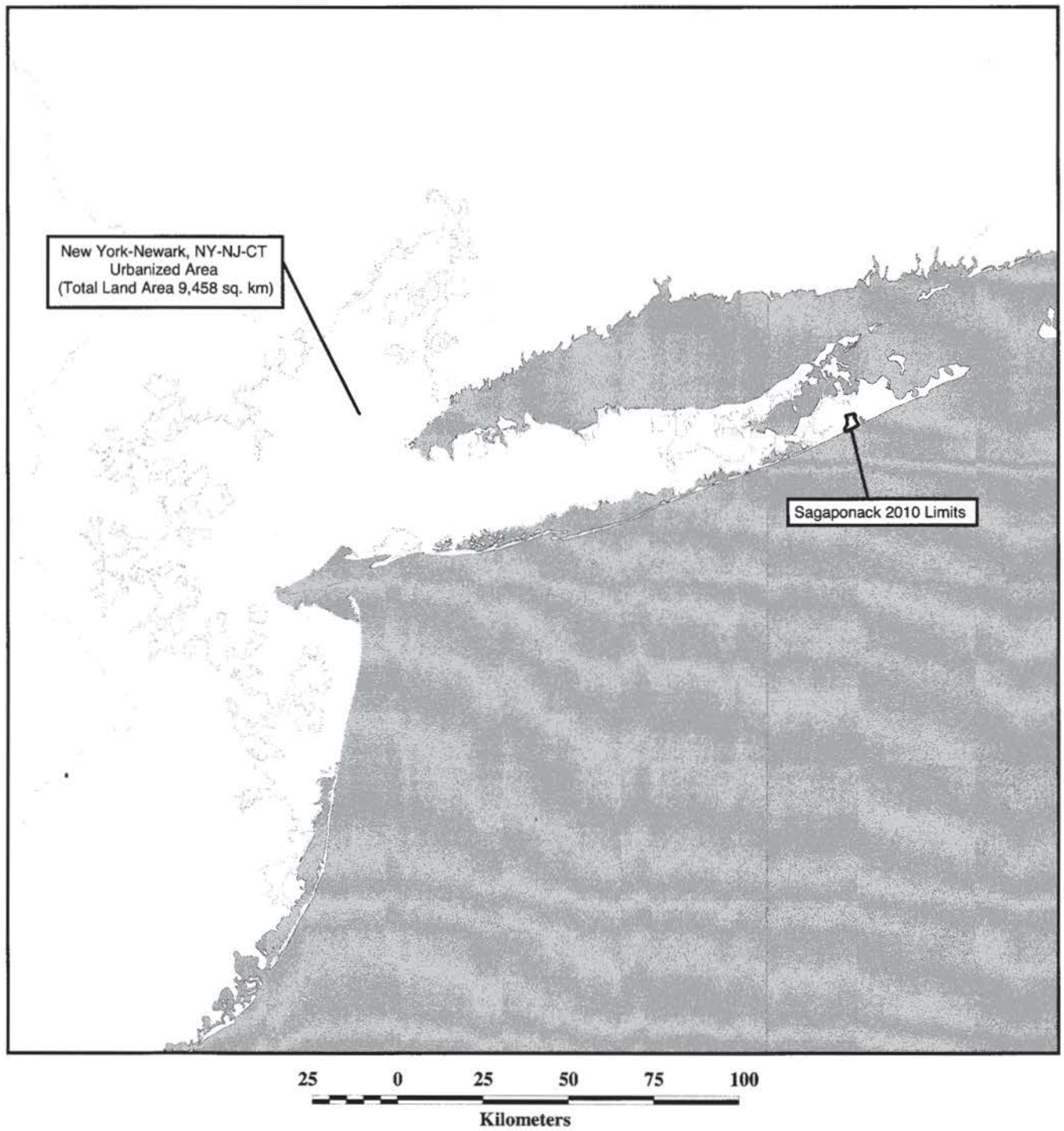


COMPLIANCE WITH SECTION 73.315

**NEW FM STATION
SAGAPONACK, NEW YORK
CHANNEL 233A**

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Figure 3



URBANIZED AREA COVERAGE

NEW FM STATION
SAGAPONACK, NEW YORK
CHANNEL 233A

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Exhibit 1

See attached

Coordinates: 40°56′31″N 72°16′52″W﻿ / ﻿40.94194°N 72.28111°W﻿ / 40.94194; -72.28111

Sagaponack, New York

From Wikipedia, the free encyclopedia

Sagaponack /sæɡəˈpɒnək/ is a village in the Town of Southampton in Suffolk County, New York, United States. The village incorporated on September 2, 2005, in the wake of the failed attempt by Dunehampton, New York to incorporate. Dunehampton's incorporation would have blocked Sagaponack from Atlantic Ocean beaches. The villages are seeking to address various beach issues including erosion arising from groynes at Georgica Pond in East Hampton village.

The population of Sagaponack village at the 2010 census was 313.^[2] Prior to its incorporation, Sagaponack was a census-designated place, with a population at the 2000 census of 582 for an area 70% greater than that of the current village.^[1]

The Sagaponack ZIP Code (11962) was listed as the most expensive in the United States in 2009; the median home sale price was \$4,421,458, according to Zillow.com. Nearby Watermill (11976) was listed sixth with \$2,238,676, and Bridgehampton (11932) was listed eighth with \$2,081,717.^[3]

The name *Sagaponack* comes from the Shinnecock Indian Nation word for "land of the big ground nuts". The big ground nuts were actually potatoes. Potato farming continued until late in the 20th century, and many of the huge estates in the village were built on potato fields. Its first settler was Josiah Stanborough in 1656. The village was originally called Sagg.^[4]

Sag Harbor, just north of Sagaponack, is believed to have derived its name from the village. West of Sagaponack is a place that the Indians called Mecox, now a hamlet on the west side of Sagaponack Lake in the town of Bridgehampton.^[4]

Contents

http://en.wikipedia.org/wiki/Sagaponack,_New_York

Sagaponack, New York

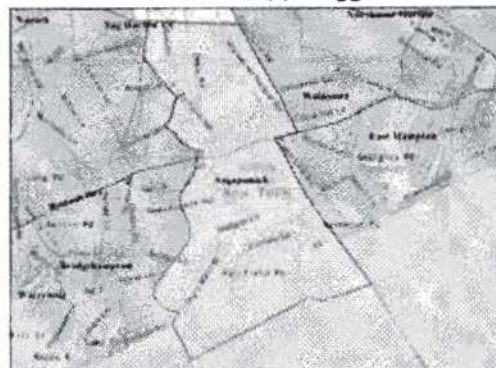
Village

Village of Sagaponack



Sagaponack Village Hall, located at 3175 Montauk Highway in Sagaponack

Nickname(s): Sagg



Coordinates: 40°56′31″N 72°16′52″W﻿ / ﻿40.94194°N 72.28111°W﻿ / 40.94194; -72.28111

- 1 Geography
- 2 Demographics
- 3 Notable residents
- 4 See also
- 5 References
- 6 External links

Geography

According to the United States Census Bureau, Sagaponack village has a total area of 4.7 square miles (12.1 km²), of which 4.4 square miles (11.4 km²) is land and 0.23 square miles (0.6 km²), or 5.15%, is water. At the 2000 census, the Sagaponack CDP had a total area of 8.0 square miles (21 km²), of which 6.2 square miles (16 km²) was land and 1.8 square miles (4.7 km²), or 22.35%, was water.

Demographics

As of the census of 2000, there were 582 people, 249 households, and 162 families residing in the CDP. The population density was 93.6 people per square mile (36.1/km²). There were 734 housing units at an average density of 118.0 per square mile (45.6/km²). The racial makeup of the CDP was 92.78% White, 2.58% African American, 2.58% Asian, 1.55% from other races, and 0.52% from two or more races. Hispanic or Latino of any race were 3.44% of the population.^[1]

There were 249 households out of which 24.9% had children under the age of 18 living with them, 55.0% were married couples living together, 6.8% had a female householder with no husband present, and 34.9% were non-families. 27.7% of all households were made up of individuals and 8.4% had someone living alone who was 65 years of age or older. The average household size was 2.34 and the average family size was 2.86.^[1]

In the CDP the population was spread out with 19.4% under the age of 18, 4.0% from 18 to 24, 24.6% from 25 to 44, 33.8% from 45 to 64, and 18.2% who were 65 years of age or older. The median age was 46 years. For every 100 females there were 102.1 males. For every 100 females age 18 and over, there were 101.3 males.^[1]

Country	United States
State	New York
County	Suffolk
Town	Southampton
Incorporated	2005
Area	
• Total	4.7 sq mi (12.1 km2)
• Land	4.4 sq mi (11.4 km2)
• Water	0.2 sq mi (0.6 km2)
Elevation	23 ft (7 m)
Population (2010) ^[1]	
• Total	313
• Density	67/sq mi (26/km2)
Time zone	Eastern (EST) (UTC-5)
• Summer (DST)	EDT (UTC-4)
ZIP code	11962
Area code(s)	631
FIPS code	36-64452
GNIS feature ID	0963225
Website	www.sagaponackvillage.org (http://www.sagaponackvillage.org)



Sagaponack Post Office sign

The median income for a household in the CDP was \$54,048, and the median income for a family was \$78,707. Males had a median income of \$43,750 versus \$27,321 for females. The per capita income for the CDP was \$44,474. About 1.9% of families and 1.3% of the population were below the poverty line, including 2.5% of those under age 18 and 1.8% of those age 65 or over.^[1]

Notable residents

- Charles Addams (1912-1988), cartoonist^[5]
- Lloyd Blankfein, CEO, Goldman Sachs^[6]
- Jimmy Fallon, television personality^[6]
- Lewis Frankfort, CEO, Coach^[6]
- Peter Matthiessen, author, conservationist and naturalist^[7]
- Ira Rennert, investor and businessman^[8]
- Truman Capote, Author
- George Plimpton, Author
- Kurt Vonnegut, Author
- E. L. Doctorow, Author
- David Salle, Artist
- Roy Scheider, Actor
- Bill and Hillary Clinton, Former President and First Lady
- Billy Joel, Musician^[9]

See also

- Sagaponack Historic District

References

1. [^] *a b c d e f* "American FactFinder" (<http://factfinder2.census.gov>). United States Census Bureau. Retrieved 2008-01-31.
2. [^] "Geographic Identifiers: 2010 Demographic Profile Data (G001): Sagaponack village, New York" (http://factfinder2.census.gov/bkmk/table/1.0/en/DEC/10_DP/G001/1600000US3664452). U.S. Census Bureau, American Factfinder. Retrieved 2012-12-21.
3. [^] http://www.businessweek.com/lifestyle/content/jan2010/bw20100119_111585.htm
4. [^] *a b* <http://sagaponackview.net/sag.html>
5. [^] Charles Addams

6. [^] *^a ^b ^c* "They're rich & powerless" (http://www.nypost.com/p/news/local/they_re_rich_powerless_9GzFGGhoDu7tUqWXG66fwN). *New York Post*. September 2, 2011.
7. [^] "Peter Mathiessen" (http://en.wikipedia.org/wiki/Peter_Mathiessen).
8. [^] "Rennert redux" (<http://nymag.com/nymetro/realstate/features/1718/>). *New York Magazine*.
9. [^] "Billy Joel relists home he's been trying to sell for the longest time" (<http://homes.yahoo.com/photos/billy-joel-relists-home-he-s-been-trying-to-sell-for-the-longest-time-1385514511-slideshow/>).

External links

- Village of Sagaponack official website (<http://www.sagaponackvillage.org/>)

Retrieved from "http://en.wikipedia.org/w/index.php?title=Sagaponack,_New_York&oldid=619220096"

Categories: Southampton (town), New York | Villages in New York | Villages in Suffolk County, New York
| Populated coastal places in New York

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IMPORTANT ANNOUNCEMENT: For more information about registration for 1st-4th grade, please contact the main office at 631-537-0651.



welcome

The Sagaponack School is one of the few remaining public one-room school houses in the country. Known locally as "the Little Red Schoolhouse," the Sagaponack School educates children in grades 1-4 in an intimate and nurturing environment that combines an historic setting with a rich and varied curriculum. With a low student-teacher ratio and an open floor plan for all grade levels, Sagg Kids receive the individual attention they need--and in most cases exceed--New York State educational standards for elementary education.

[Download the June 2014 news letter](#)

upcoming

Nov 10: Veterans Day- No School
Nov 11: Veterans Day- No School
Nov 13: Library
Nov 13: Board Meeting
Nov 20: SDMC Meeting
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History

After 350 years there should be few words on the settlement, village, community of Sagaponack, Sagg or "place where the large ground-nuts grow."

It is one of the very early divisions of Southampton, laid out before Bridgehampton, Sag Harbor and other parishes. This 1653 area is unusual: 100 miles east of the mainland, bordering the broad Atlantic, and stretching northward for several miles over the most level and fertile land of this island. With its ponds, its forest, its rich soil, it has remained nearly pristine.

Its farmers, fishermen, whalers, wood-cutters, men of the Bible, builders, lawyers, and men of state have over the years been second to none. Not to be forgotten, and also second to none were the women of the home. Mistresses of the house in cooking, gardening, and cloth-making with the spinning wheel in wool or flax. Besides this, they did dress-making for both young and old. Not to forget those priceless samplers and quilts, cherished today more than money. All labored six days a week and rested on the seventh, as did its founder, Josiah Stanborough, and their first man of the Bible, Ebenezer White. From this labor on the sea, on the fertile soil and in the rich woodland came food to eat, products to sell, and homes which they build, so much cherished today. Not mansion or huts, these were beautiful country homes of their period, built for two and sometimes three generations to live in at once, and changed over time as the families needs changed.

Sagaponack has changed little until its last few years: always one school, one store, a port from which to export whale oil and farm produce (the earliest was North West Harbor, later came Sag Harbor, named after its founder, Sagaponack). From this hamlet have come well-known men of the Bible, law cases that are still studied today, and advancements in agriculture by farmers.

Richard G. Hendrickson (2006)

from: Sagaponack- Then and Now (All rights reserved, Sally Peterson Scholarship Fund)

The following is a chronology of the actions taken by the Sagaponack Village Board of Trustees since May 1, 2007 to introduce, review, get public comments on and adopt all the necessary chapters of a Village Code by September 27, 2007 as required by New York State Law.

May 1, 2007

Zoning Commission presented the draft Zoning Code and Comprehensive Plan to the Board of Trustees

June 25th and 29th

Public hearings were held for the Proposed Zoning Code, Comprehensive Plan and 19 additional codes for the

Village to consider

August 13, 2007

The Board of Trustees adopted the Proposed Zoning Code, Comprehensive Plan and the additional Village

Codes

September 10, 2007

The adopted Village Codes become effective when filed with the Department of State

September 27, 2007

The Village becomes independent of the Town of Southampton and continues to organize their own Building

Department, Planning Board, Zoning Board and Architectural and Historic Review Board
December 2007

The Planning Board, Zoning Board and Architectural and Historic Review Board all hold their first meetings.

243 Hedges Lane - 2008-10

The fate of the 4 square Percy Hedges House located at 243 Hedges Lane has raised quite a bit of interest throughout the Village. At the Work Session of the Board of Trustees on January 11, 2010, the Mayor read a statement in response to a petition which was filed by Me. William McCoy. Please click the link below for a full copy of this statement.

[Mayor Louchheim's Statement Concerning the 4 Square Percy Hedges House](#)

PO Box 600 · 3175 Montauk Highway · Sagaponack, NY 11962 · 631-537-0017 · FAX: 631-537-0612
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- [Building Department](#)
- [Village Attorney](#)

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Welcome

Donald Louchheim - Mayor

Lee Foster - Deputy Mayor

Joy Sieger - Trustee

Lisa Duryea Thayer - Trustee

William Barbour - Trustee

Please be advised that we have recently changed the filing dates for Building Permit Applications and Planning Review Applications. The start time of the monthly meeting of the Architectural and Historic Review Board has also been changed from 3:30pm until 3:00pm. Visit the Calendar to view the dates.

*****YARD SALES*****

Please be aware, that as of August 29, 2013, the Village's Local Law regulating Yard Sales became effective. Please

click below for the entire law. The yard sale application for a permit can be found under the Forms tab to the right.

[Yard Sale Local Law](#)

*****Seasonal Rentals*****

Please be aware that the Village of Sagaponack requires that a property owner obtain a Seasonal Rental permit if you rent your house between May 15th and September 15th. The rental can not be less then 30 days except that the law allows for 2 - 2 week rentals per calendar year. This code can be found in the Village Code Book under 245-16 (A). The seasonal rental form can be down loaded from the "Form" tab to the left.

2014-15 Village Property Tax Bills

The 2014-15 Village Property Tax Bills have been mailed and were payable June 1st through July 1st without penalty. At this point, if your 2014-15 Village Property Tax bill is unpaid there is a 5% penalty assessed for the month of July. Any open taxes after that will be assessed an additional 1% per month for every month the tax remains unpaid. If you have prior years taxes still unpaid, please contact the Village Office at 631-537-0017 for the correct amount due.

November 2014 Board Meetings

The Zoning Board of Appeals will meet on Friday, November 14th at 4:00pm.

The Board of Trustees will hold a public meeting on Monday, November 10th at 3:00pm to discuss Village Planning Issues and Work Session Items.

The Board of Trustees will hold their monthly board meeting on Monday, November 17th at 4:00pm.

The Architectural and Historic Review Board will meet on Friday, November 21st at 3:00 pm.

Please click on the "Boards" tab to view the agendas.

2014-15 Budget

PLEASE VISIT THE "LEGALS" TAB FOR UPCOMING
PUBLIC HEARINGS and THE "CALENDAR" TAB FOR
UPCOMING MEETINGS

COMPREHENSIVE PLAN

The link below will access the Adopted 2007 Comprehensive Plan and
attached Appendices and Maps which includes the Sagaponack Historic
Districts Inventory.

2007 Comprehensive Plan

Coordinates: 40°55′29″N 72°16′40″W﻿ / ﻿40.92472°N 72.27778°W﻿ / 40.92472; -72.27778

Sagaponack Historic District

From Wikipedia, the free encyclopedia

Sagaponack Historic District is a national historic district located at Sagaponack in Suffolk County, New York. There are 131 contributing buildings, one contributing site, and three contributing structures. It includes residences, farm complexes, agricultural buildings, the Sagaponack School, and the General Store / Post Office. Dwellings reflect residential development from Sagaponack's early settlement in the 17th century, Federal and Greek Revival style residences of the early to mid-18th century, popular revival styles of the mid- to late-19th century, and early 20th century American Foursquare and Bungalow styles,^[2]

It was added to the National Register of Historic Places in 2000.^[1]

References

- ↑ *^a ^b* "National Register Information System" (http://nrhp.focus.nps.gov/natreg/docs/All_Data.html). *National Register of Historic Places*. National Park Service. 2009-03-13.
- ↑ Alison Cornish (June 1999). "National Register of Historic Places Registration: Sagaponack Historic District" (http://www.oprhp.state.ny.us/hpimaging/hp_view.asp?GroupView=101951). New York State Office of Parks, Recreation and Historic Preservation. Retrieved 2010-02-20. *See also*: "Accompanying 33 photos" (http://www.oprhp.state.ny.us/hpimaging/hp_view.asp?GroupView=101963).

Retrieved from "http://en.wikipedia.org/w/index.php?title=Sagaponack_Historic_District&oldid=415253723"

Categories: Historic districts in New York

| National Register of Historic Places in New York

| Federal architecture in New York

| Historic districts in Suffolk County, New York

| Suffolk County, New York Registered Historic Place stubs

Sagaponack Historic District

U.S. National Register of Historic Places

U.S. Historic district



U.S. Post Office, Sagaponack NY, October 2008



Location	Roughly along Main St., Sagaponack, New York
Coordinates	40°55′29″N 72°16′40″W﻿ / ﻿40.92472°N 72.27778°W﻿ / 40.92472; -72.27778
Area	307 acres (124 ha)
Architect	Ware, James E. and Sons
Architectural style	Colonial, Federal, et al.
Governing body	Local
NRHP Reference #	00000582[1]

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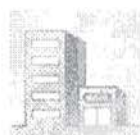
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45. Swanson Steven

Gibson Ln
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